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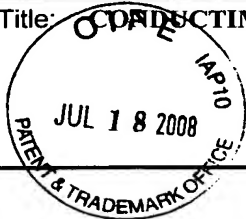
**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
MSU 4.1-587

In Re Application Of: **Evangelyn C. Alocilja and Zarini Muhammad-Tahir**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/074,499	02/13/2002	Jacqueline A. Diramio	21036	1641	4246

Title: **OPTICOMETRIC BIOSENSOR DEVICE, METHOD AND SYSTEM**



COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Reply to Examiner's Answer Under 37 CFR 41.41

in the above identified application.

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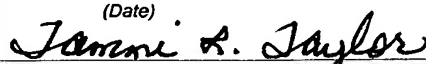

Signature

Dated: July 15, 2008

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on July 15, 2008.

(Date)


Signature of Person Mailing Correspondence

Tammi L. Taylor
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cc:

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Appl. No. 10/074,499
July 9, 2008
Reply to Examiner's Answer mailed May 29, 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Appl. No. : 10/074,499 Confirmation No. 4246
Applicants : Evangelyn C. Alocilja and
Zarini Muhammad-Tahir
Filed : February 13, 2002
TC/A.U. : 1641
Title : CONDUCTIMETRIC BIOSENSOR DEVICE, METHOD
AND SYSTEM
Examiner : Jacqueline A. Diramio
Docket No. : MSU 4.1-587
Customer No. : 21036

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REPLY TO EXAMINER'S ANSWER
UNDER 37 CFR § 41.41**

Sir:

This is a response to the Examiner's Answer mailed
May 29, 2008.

The principal reference in this Appeal is the Kim
et al. publication. The Examiner's Answer incorrectly
interprets the publication at page 914 which states as

follows:

"An additional labeling agent comprising a conducting polymer to colloidal gold-antibody conjugates facilitated electric conduction between gold particles captured via antigen-antibody binding. This strategy for conductimetric detection could be a better approach than the direct labeling of the antibody with the polymer by chemical reaction because, in such a case, the protein molecule itself (antibody) does not contain available sites for electron relay".
(antibody added)

This quote does not suggest the direct use of the antibody polymer conduction without the gold.

The above statement is made in the context of page 907 of Kim et al. which discusses tracer assays as follows:

"As a typical tracer for the assay, colloidal gold is suitable for the generation of colorimetric signal where the red color resulting from the analysis is detected by the naked eye to determine the presence of the analyte in sample (citations omitted)".

It is further clear that Kim et al. needed the presence of the gold described at page 908, in which the authors' state:

"Finally, since the gold tracer is visible, the assay progress can be followed by the naked eye and the colored signal can be preserved after carrying out the conductimetric measurement for subsequent reference".

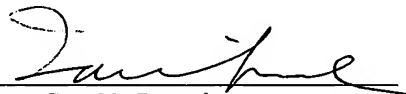
Thus, the reference at page 914 is at best a suggestion of an assay using a gold label-conductive polymer

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antibody combination, without conducting any tests, which assay the authors thought to be inferior because of the lack of conductivity of the antibody. This is not a suggestion of an assay with a polymer-antibody combination alone, without the gold, as asserted in the Examiner's Answer. Kim et al. did not conduct any tests or make any statements that would lead one skilled in the art to want to eliminate the gold particles from the assay.

Favorable consideration is requested.

Respectfully,


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